

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010090223

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On September 07, 2010, Student filed a Due Process Hearing Request (complaint), naming District. On November 23, 2010, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint) along with a Stipulation by both parties to waive the 30-day resolution period in connection with the proposed amended complaint. District also consented in writing to the filing of the amended complaint.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i)(II).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (§1415(f)(1)(B).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order, taking into consideration that the 30-day resolution period has been waived in writing by both parties. OAH will issue a scheduling order accordingly with the new dates.

IT IS SO ORDERED.

Dated: November 30, 2010

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings

¹ All statutory citations are to Title 20 United States Code unless otherwise indicated.